

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NATHANIEL BRENT,

Plaintiff,

Case No. 05-71095

v.

District Judge Julian Abele Cook
Magistrate Judge R. Steven Whalen

CITY OF DETROIT,
a Municipal Corporation,
DETROIT WATER & SEWAGE
DEPARTMENT,

Defendants.

ORDER

For the reasons and under the terms stated on the record on September 26, 2006, Plaintiff's Motion to Compel discovery [Docket #24] is GRANTED IN PART AND DENIED IN PART, as follows:

1. As to Requests to Produce (RTP) #s 1, #2, and #7, the Motion is DENIED AS MOOT, Defendant having represented that the requested documents have been produced. Defendant shall nonetheless conduct a good-faith and diligent search for additional responsive documents, and within 21 days of the date of this Order, produce those additional documents or certify that after a diligent search, no further documents exist. 2. As to RTP #4, the Motion is DENIED AS MOOT, Defendant having represented that the requested documents have been produced.

3. As to RTP #5, the Motion is GRANTED. Defendant shall produce said documents within 21 days of the date of this Order, or certify that no such documents exist.

4. As to RTP #6, the Motion is DENIED.

5. As to RTP #9, the Motion is GRANTED, under the same terms as set forth in ¶3 of this Order.

6. Nothing in this Order abrogates Defendant's duty to supplement discovery requests with additional documents whenever it becomes aware of previously undisclosed material.

7. The parties have stated that all other matters set forth in Plaintiff's motion have been resolved, therefore, those portions of the Motion are DISMISSED AS MOOT.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 26, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on September 26, 2006.

S/G. Wilson
Judicial Assistant